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April 3, 2019

*By Electronic Filing and Facsimile*

Hon. Gabriel W. Gorenstein  
U.S. District Court for the Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Ali v. Annucci, et al.*  
No. 2016-cv-1994

Dear Chief Magistrate Judge Gorenstein:

Our Office represents the three court-officer defendants –Court Officer Eleazar Ramos, Court Officer Bruce Knowles, and Lieutenant Stewart Still—in the above-referenced matter. In accordance with Section 1.E. of Your Honor's Individual Practices, we submit this letter jointly with plaintiff's counsel, Adrian Ellis, Esq., to request a three-week extension of the discovery deadlines that were previously endorsed by the Court on March 4, 2019 (ECF No. 92). This is the parties' fourth request for an extension of these deadlines.

This extension is necessary to depose a non-party fact witness, EMT Roy Renna. We subpoenaed Mr. Renna to appear for a deposition last Friday, March 29, 2019. On the day of the scheduled deposition, however, Mr. Renna advised our Office that his supervisor had instructed him not to appear for the deposition without express permission from N.Y. Presbyterian Hospital's legal department, which he apparently never received. Since Friday, we have made repeated attempts to contact the Hospital's legal department to reschedule Mr. Renna's deposition. Yesterday evening, the Hospital's legal department informed our Office by email that it was coordinating with Mr. Renna's supervisor to find dates when Mr. Renna would be available in the next few weeks. Based on that email and prior conversations with Mr. Renna about his availability, we anticipate being able to depose him within the next three weeks.

Since our last extension request, the parties have worked diligently towards completing

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fact discovery. In the last month, we have deposed three non-party fact witnesses—Adam Freedman, Esq., Kecia Harris, and Captain Keith Faccilonga—and have received documents in response to all outstanding subpoenas issued in this matter. As discussed above, the only remaining deposition was originally scheduled to be taken before the current deadline for the completion of fact discovery, but due to factors outside the parties' control, did not go forward, and needs to be rescheduled.

For these reasons, the parties respectfully request that the discovery deadlines in this case be extended three weeks. Under this proposed extension, the deadline for the completion of non-expert discovery, which is currently April 3, 2019, would be extended to April 24, 2019; the deadline to disclose expert witnesses, which is currently April 17, 2019, would be extended to May 8, 2019; the deadline for the depositions of expert witnesses, which is currently June 19, 2019; would be extended to July 10, 2019; and the deadline to submit a pre-motion letter to Judge Carter in anticipation of defendants' motion for summary judgment, which is currently June 19, 2019, would be extended to July 10, 2019.

Thank you for your time and attention to this matter.

Very truly yours,

\_\_\_\_\_/s/  
Jonathan D. Conley  
Assistant Attorney General

cc (*by ECF*): Adrian Ellis, Esq.